

Docket No.: 12810-00323-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tim Jungkamp et al.

Application No.: 10/586,452

Confirmation No.: 4478

Filed: July 18, 2006

Art Unit: 1626

For: **METHOD FOR THE SEPARATION OF
PENTENENITRILE ISOMERS**

Examiner: Kosack, Joseph R.

REQUEST FOR REFUND AND

LETTER REGARDING DOCUMENT INADVERTENLY SUBMITTED

MS Amendment
MS Refund
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Please be advised that the attached document was filed inadvertently under Application No. 10/586,452 on December 16, 2008, which included payment of \$130.00 for a one-month extension of time.

Accordingly, Applicant request that this filing be withdrawn from record.

Therefore, Applicant respectfully request credit for the overpayment in the amount of \$130.00 to be credited to Deposit Acct. No. 22-0185 under Order No. 12810-00323.

Application No.: 10/586,452

Docket No.: 12810-00323-US1

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00323-US1 from which the undersigned is authorized to draw.

Dated: December 18, 2008

Respectfully submitted,

Electronic signature: /Bryant L. Young/
Bryant L. Young

Registration No.: 49,073
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Restriction Requirement set forth in the Office Action mailed November 14, 2008, Applicant hereby elects Group I, claims 1 to 10, with traverse.

Applicant directs the Office's attention to the fact that the above application is a 35 U.S.C. 371 Application of International Application No. PCT/EP2005/073174 and that the unity of the invention was not therein contested. Therefore, Applicant believes that the current objection (lack of unity) is improper, and respectfully requests that the Restriction Requirement be withdrawn.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

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A fee for a one-month extension of time is filed herewith. Applicant believes no additional fee is due. However, if an additional fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00323-US1 from which the undersigned is authorized to draw.

Dated: December 16, 2008

Respectfully submitted,

Electronic signature: /Bryant L. Young/
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Washington, DC 20006
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